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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number	09/995,812
Filing Date	November 29, 2001
First Named Inventor	Hiromi NANBA et al.
Group Art Unit	1743
Examiner Name	Lyle Alexander
Attorney Docket Number	741440-33

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Declaration and Power of Attorney
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Application Data Sheet
- Request for Corrected Filing Receipt with Enclosures
- A self-addressed prepaid postcard for acknowledging receipt
- Other Enclosure(s) (please identify below): \_\_\_\_\_

### Remarks

The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Donald R. Studebaker

Nixon Peabody LLP  
401 9<sup>th</sup> Street, N.W.  
Suite 900  
Washington, D.C. 20004-2128

Signature

Date

December 10, 2003

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

December 10, 2003

Date

Signature

Linda Ritter

Typed or printed name



# FEET TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$180.00)

<i>Complete if Known</i>	
Application Number	09/995,812
Filing Date	November 29, 2001
First Named Inventor	Hiromi NANBA et al.
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Attorney Docket No.	741440-33

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TC 1700

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account:

Deposit Account Number

19-2380(741440-33)

Deposit Account Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1001	2001	385	Utility filing fee
1002	2002	170	Design filing fee
1003	2003	265	Plant filing fee
1004	2004	385	Reissue filing fee
1005	2005	80	Provisional filing fee

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20** =	Extra Claims Fee from below	X	Fee Paid
Independent Claims	-3** =			
Multiple Dependent		X		

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	(\\$)
1202	2202	9
1201	2201	43
1203	2203	145
1204	2204	43
1205	2205	9

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	
Fee Code	Fee Code	(\\$)	(\\$)
1051	2051	130	Surcharge - late filing fee or oath
1052	2052	50	Surcharge - late provisional filing fee or cover sheet
1053	1053	130	Non-English specification
1812	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1805	1,840*	Requesting publication of SIR after Examiner action
1251	2251	110	Extension for reply within first month
1252	2252	420	Extension for reply within second month
1253	2253	950	Extension for reply within third month
1254	2254	1,480	Extension for reply within fourth month
1255	2255	2,010	Extension for reply within fifth month
1401	2401	330	Notice of Appeal
1402	2402	330	Filing a brief in support of an appeal
1403	2403	290	Request for oral hearing
1451	1,510	1,510	Petition to institute a public use proceeding
1452	2452	110	Petition to revive - unavoidable
1453	2453	1,330	Petition to revive - unintentional
1501	2501	1,330	Utility issue fee (or reissue)
1502	2502	480	Design issue fee
1503	2503	640	Plant issue fee
1460	1460	130	Petitions to the Commissioner
1807	1807	50	Processing fee under 37 CFR 1.17(q)
1806	1806	180	Submission of Information Disclosure Stmt
8021	8021	40	Recording each patent assignment per property (times number of properties)
1809	2809	770	Filing a submission after final rejection (37 CFR 1.129(a))
1810	2810	770	For each additional invention to be examined (37 CFR 1.129(b))
1801	2801	770	Request for Continued Examination (RCE)
1802	1802	900	Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_.

December 10, 2003

Date

Signature

Linda Ritter

Typed or printed name

## SUBMITTED BY

Name (Print/Type)	Donald R Studebaker	Registration No. (Attorney/Agent)	32,815	Telephone	(202)585-8000
Signature				Date	December 10, 2003

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Application No. 09/995,812  
Docket No. 741440-33

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 23 2003  
TC 1700

In re Patent Application of: )  
Hiromi NANBA et al. )  
Serial No. 09/995,812 )  
Filed: November 29, 2001 )  
For: INSTRUMENT AND METHOD FOR )  
BLOOD SEPARATION, AND PREPARING )  
METHOD, QUANTIFYING METHOD AND )  
PRESERVING CONTAINER FOR )  
BIOLOGICAL SAMPLE )  
 ) Confirmation No. 1077

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 10, 2003.

Signature: Linda Ritter  
Name: Linda Ritter

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The Commissioner is hereby authorized to charge \$180 to deposit account no. 19-2380 to comply with the provisions of 37 C.F.R. § 1.97(c)

The undersigned certifies that either (1) each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in connection with a counterpart foreign application not more than three (3) months prior to the filing of this statement, or (2) no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

12/17/2003 HALI11 00000016 192380 09995812  
01 FC:1806 180.00 DA

NVA283958.1

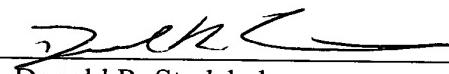
Enclosed is a copy of the European Search Report dated September 17, 2003, for a corresponding European patent application together with the references cited therein.

Additionally, please note that cited references WO 91 08782, WO 96 20402 and WO 97 29369 were previously filed on August 11, 2003, therefore these references are not enclosed.

It is requested that the accompanying PTO-1449 be considered and made of record in the above-identified application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

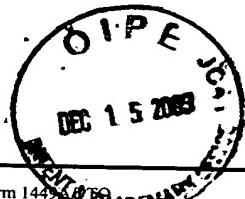
The Commissioner is hereby authorized to charge any fees connected with this filing which may be required now, or credit any overpayment to Deposit Account No. 19-2380. (741440-33)

Respectfully submitted,  
NIXON PEABODY LLP

By:   
Donald R. Studebaker  
Registration No. 32,815

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Substitute for form 1449 <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				<i>Complete if Known</i>	
Sheet	1	of	1	Application Number	09/995,812
				Filing Date	November 29, 2001
				First Named Inventor	Hiromi NANBA et al.
				Art Unit	1743
				Examiner Name	Lyle Alexander
				Attorney Docket Number	741440-33

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-5,304,348	04-19-1994	Burd et al.	
		US-5,624,597	04-29-1997	Buhl et al.	
		US-			

FOREIGN PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> (if known)			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
		EUROPEAN SEARCH REPORT DATED SEPTEMBER 17, 2003			

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.